CASE NO. 17-7039
consolidated with CASE NO. 17-7035

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA

AMERICAN EDUCATIONAL RESEARCH ASSOCIATION, INC., AMERICAN PSYCHOLOGICAL ASSOCIATION, INC.; and NATIONAL COUNCIL ON MEASUREMENT IN EDUCATION, INC., Plaintiffs/Appellees, v. PUBLIC RESOURCE.ORG, INC., Defendant /Appellant.	Case No. 17-7039 On Appeal from the United States District Court for the District of Columbia (No. 14-cv-857)

APPELLEE'S CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES

Pursuant to this Court's March 7, 2017 Order, Appellees American Educational Research Association, Inc., American Psychological Association, Inc., and National Council on Measurement in Education, Inc., by and through their attorneys, certify as follows:

A. Parties

Appellant: Public.Resource.Org, Inc.

Appellees: American Educational Research Association, Inc., American Psychological Association, Inc., and National Council on Measurement in Education, Inc.

Amici: As currently known to Appellees, the identity of a party that may file an *amicus* brief in this action is the American Medical Association.

B. Rulings Under Review

Appellants seek review of the District Court's Memorandum Opinion and Order Granting Plaintiff's Motion for Summary Judgment and Denying Defendant's Cross-Motion for Summary Judgment ("Order"), both dated February 2, 2017 (Dkt. No. 117 and 118 in Case 1:14-cv-00857 TSC). In addition, Appellant has indicated that it may seek review of the District Court's Order Denying Defendant-Appellant's Motion to Strike the Expert Report of Dr. Kurt Geisinger (Dkt. No. 115 in Case 1:14-cv-00857) dated September 21, 2016.

C. Related Cases

This case has not previously been before this Court. This case has been consolidated with the lead Case No. 17-7035, *American Society for Testing and Materials et al. v. Public.Resource.Org, Inc.*

Dated: April 6, 2017

Respectfully Submitted,

/s/ John I. Stewart, Jr.

John I. Stewart, Jr.
Clifton S. Elgarten
Crowell & Moring LLP
1001 Pennsylvania Ave., NW
Washington, DC 20004
202-624-2500
jstewart@crowell.com
celgarten@crowell.com

Counsel for American Educational Research Association, Inc., American Psychological Association, Inc., and National Council on Measurement in Education, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 6th day of April, 2017, a true and correct copy of Appellees' Certificate as to Parties, Rulings, and Related Cases was electronically filed through the CM / ECF system, which caused all parties to be served by electronic means, as more fully reflected in the Notice of Docket Activity.

Service was also accomplished by electronic mail on parties set forth below.

/s/ Michael J. Songer for John I. Stewart, Jr.

Counsel for American Educational Research Association, Inc., American Psychological Association, Inc., and National Council on Measurement in Education, Inc.

Allyson N. Ho
J. Kevin Fee
Jordana S. Rubel
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Ave., NW
Washington, DC 20004
Allyson.ho@morganlewis.com
kevin.fee@morganlewis.com
Jordana.rubel@morganlewis.com
Counsel for Appellee American Society for Testing and Materials

Donald B. Verrilli, Jr.
Kelly M. Klaus
Rose L. Ehler
Munger, Tolles & Olson LLP
560 Mission St., 27th Floor
San Francisco, CA 94105
Donald.verilli@mto.com
Kelly.klaus@mto.com
Rose.ehler@mto.com
Counsel for National Fire Protection Association, Inc.

Paul Alessio Mezzina
Joseph R. Wetzel
J. Blake Cunningham
King & Spalding LLP
1700 Pennsylvania Ave., NW Ste. 200
Washington, DC 20006
pmezzina@kslaw.com
jwetzel@kslaw.com
bcunningham@kslaw.com
Counsel for American Society of Heating, Refrigerating, and Air Conditioning Engineers

Matthew Becker
Fenwick & West LLP
555 California St., 12th Floor
San Francisco, CA 94104
mbecker@fenwick.com
Counsel for Appellant Public.Resource.Org, Inc.